IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 3920 of 1998

Between:

1 Kadirinenipalli Girijana Labour Contract Co-operative Rep.

by its president Nallu Polaiah. Soceity Ltd., Kadirinenipalli,

Marripadu Mandal, Nellore Dist.
2 Dubagunta Waddera Labour Contract Co-operative Society

Ltd., Duvaginta, Atmakur Tq., Nellore District. Rep. by its
President Ch. Venkataiah.
3 Bapuji Labour Contract Co-operative Society, Rep. by its

president G.V. Narayana. Devarakonda, Nalgonda District.
4 K. Venkateswarlu, Contractor,
Narayanaraopet, Nalgonda District.
5 T.C. Venkateswarlu, Contractor,
Vedayapalem, Nellore District.
6 Challa Balaji, Contractor,
Balaji Nagar, Nellore District.
7 A. Venkata Subbaiah S/o. Chinna Peddanna
Krishnampalli, Udayagiri, Nellore.
8 Meesala Rama Rao S/o. Rama Swamy
Neeladevipuram, Srikakulam District.
9 Divya Techno Crats, Rep. by its Managing Partner Ms. P. Sree

Devi, Janakirama Nagar Colony,
Srikakulam.
10 Sree Sita Rama Technocrats Syndicate, Rep. by its Managing

Partner, P. Rama Rao, Janakiram Nagar, Srikakulam.

... PETITIONERS

AND

1 Superintending Engineer, Irrigation Circle,
Nellore.
2 Superintending Engineer, Irrigation Circle,
Cuddapah.
3 Superintending Engineer, Telugu Ganga Project Circle,
Cuddapah.
4 Superintending Engineer, Telugu Ganga Project, Circle,
Nandyal.
5 Superintending Engineer, Telugu Ganga Project Circle,
Nellore.
6 Superintending Engineer, Telugu Ganga Project Circle,
Srikalahasthi.
7 Superintending Engineer, Panchayatraj Circle,
Cuddapah.
8 Superintending Engineer, R&B Circle,
Cuddapah.
9 Superintending Engineer, Panchayatraj Circle, R.W.S.,
Nellore.
10 Superintending Engineer, R&B Circle,
Nellore.
11 Superintending Engineer, Vamshadara Project Circle,
Srikakulam.
12 Superintending Engineer, R&B Circle,
Visakhapatnam.
13 Superintending Engineer, Panchayatraj Circle,
Srikakulam.
14 Superintending Engineer, Panchayatraj Circle,
Visakhapatnam.
15 Superintending Engineer, Irrigation Circle,
Bobbily.
16 Superintending Engineer, R&B Circle,
Kakinada.
17 Executive Engineer, R&B Division,
Srikakulam.
18 Executive Engineer, Vamshadara Project Division I & II,
Amdalavarsa, Srikakulam District.
19 Executive Engineer, Vamshadara Project Maintenance

Division, Narasanapeta, Srikakulam District.
20 Superintending Engineer, S.L.B.C.Circle-I&II,
G.V. Gudem, Nalgonda.
21 Superintending Engineer, Panchayatraj Circle,
Nalgonda.
22 Executive Engineer, R&B, N.H. Division.
Srikakulam.
23 Executive Engineer, Panchayatraj Division,
Srikakulam.
24 Executive Engineer, Vamshadara Project Division.
Tekkali.
25 Executive Engineer, Vamshadara Project Construction Division,
Hira Mandal, Srikakulam District.
26 Executive Engineer, Godavari Head Quarters Division,
Dhavaleshwaram.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate Writ or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in insisting the petitioner societies for payment of Earnest Money Deposit, Commercial tax clearance certificate or imposing any condition or experience in connection with all tender notices issued on or after 10-1-1998 arbitrary, illegal and unreasonable and consequently direct the respondents not to insist payment of Earnest Money Deposit upto any value of the work, Commercial tax clearance certificate and Experience certificate from the petitioners at the time of allotment of works in all tender notices issued on or after 10-1-1998 and issue tender schedules to the petitioners in all tender notices issued on or after 10-1-1998 by following G.O.Ms.No. 178 dated 27-9-1997 irrespective of district or any condition like all type of work experience in whichever they register.

Counsel for the Petitioners: MR.KOONA REDDY ANJI REDDY

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following:

ORDER:

None appears for the petitioners, no representation either.

2. It is represented by the learned Government Pleader that the cause in the writ petition has become infructuous.

Recording the above submission made by the learned Government Pleader, the writ petition is dismissed as having become infructuous.

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N.V. RAMANA, J

February 21, 2005

MRR

Copy to:

1 Superintending Engineer, Irrigation Circle,
Nellore.
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Dhavaleshwaram.

27 Two C.C. s to the G.P. for Irrigation and Comm. Area Development, High

Court Buildings, Hyderabad (OUT)

28 Two C.D. Copies.